

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

CHAPTER 7

Wyatt & McAlister PLLC

CASE NO. 09-04354-EE

**TRUSTEE'S MOTION TO REJECT EXECUTORY CONTRACT
BETWEEN WYATT & McALISTER, PLLC AND CAROUSEL DEVELOPMENT, LLC**

COMES NOW, **J. Stephen Smith**, Trustee, by and through his attorney, and files this his Motion to Reject the Executory Contract previously entered into between Wyatt & McAlister, PLLC, and Carousel Development, LLC and would show unto the Court the following, to-wit:

I.

That Wyatt & McAlister, PLLC previously entered into a Lease Agreement with Carousel Development, LLC.

II.

That said agreement is not necessary and it is in its best interest to reject this executory contract.

WHEREFORE, PREMISES CONSIDERED, J. Stephen Smith, Trustee, respectfully requests that this Court enter an Order rejecting the Lease Agreement between Wyatt & McAlister, PLLC and Carousel Development, LLC and for such other relief as is deemed just.

Respectfully submitted,

J. Stephen Smith, Trustee

BY: /s/ Eileen N. Shaffer
EILEEN N. SHAFFER
His Attorney

EILEEN N. SHAFFER
MSB #1687
P.O. Box 1177
Jackson, MS 39215-1177
(601) 969-3006

CERTIFICATE OF SERVICE

I, Eileen N. Shaffer, Attorney for Trustee, do hereby certify that I have mailed by United States Mail, postage prepaid, or served electronically, a true and correct copy of the above and foregoing Application of Trustee to Employ Certified Public Accountants to the United States Trustee, 100 W. Capitol Street, Suite 706, Jackson, Mississippi 39269-1602, and to the following on the day and year hereinafter set forth:

Kimberly P. Turner, Esq.
Attorney for Carousel Development, LLC
kimturnerlaw@bellsouth.net

Van F. Leonard, Esq.
Attorney for Debtor
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Lawrence E. Allison, Esq.
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USTPRegion05.JA.ECF@usdoj.gov
R. Michael Bolen
United States Trustee
100 W. Capitol St., Ste. 706
Jackson, MS 39269-1602

SO CERTIFIED this the 23rd day of December, 2009.

/s/ Eileen N. Shaffer
EILEEN N. SHAFFER